

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 5610 AND 5804 WIER HILLS ROAD IN THE WEST
3 OAK HILL NEIGHBORHOOD PLAN AREA FROM LIMITED OFFICE-
4 NEIGHBORHOOD PLAN (LO-NP) COMBINING DISTRICT TO TOWNHOUSE
5 AND CONDOMINIUM-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN
6 (SF-6-CO-NP) COMBINING DISTRICT.
7

8 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
9

10 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
11 change the base district from limited office-neighborhood plan (LO-NP) combining district
12 to townhouse and condominium-conditional overlay-neighborhood plan (SF-6-CO-NP)
13 combining district on the property (the “Property”) described in Zoning Case No. C14-
14 2014-0172, on file at the Planning and Zoning Department, as follows:
15

16 2.310 acre tract of land, more or less, being a portion of the August Herold Survey,
17 No. 59 the tract of land being more particularly described by metes and bounds in
18 Exhibit “A” incorporated into this ordinance; and,
19

20 Tract 1, Eads Acres Subdivision, a subdivision in the City of Austin, Travis
21 County, Texas, according to the map or plat of record in Plat Book 79, Page 166 of
22 the Plat Records of Travis County, Texas (the “Property”),
23

24 locally known as 5610 and 5804 Wier Hills Road in the City of Austin, Travis County,
25 Texas, and generally identified in the map attached as Exhibit “B.”
26

27 **PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the
28 Property may be developed and used in accordance with the regulations established for the
29 townhouse and condominium (SF-6) base district and other applicable requirements of the
30 City Code.
31
32

1 **PART 3.** The Property within the boundaries of the conditional overlay combining district
2 established by this ordinance is subject to the following condition:
3

4 A site plan or building permit for the Property may not be approved, released, or
5 issued, if the completed development or uses of the Property, considered cumulatively
6 with all existing or previously authorized development and uses, generate traffic that
7 exceeds 300 trips per day.
8

9 Except as specifically restricted under this ordinance, the Property may be developed and
10 used in accordance with the regulations established for the townhouse and condominium
11 (SF-6) base district and other applicable requirements of the City Code.
12

13 **PART 4.** The Property is subject to Ordinance No. 20081211-097 that established the
14 West Oak Hill neighborhood plan combining district.
15

16 **PART 5.** This ordinance takes effect on _____, 2015.
17

18 **PASSED AND APPROVED**
19

20
21 §
22 §
23 _____, 2015 § _____
24

25 Steve Adler
26 Mayor

27 **APPROVED:** _____
28 Anne L. Morgan
29 Interim City Attorney
30

ATTEST: _____
Jannette S. Goodall
City Clerk

EXHIBIT A

**LEGAL DESCRIPTION TO SURVEY FOR 5610 WIER HILLS ROAD
SURVEY NUMBER: 1405.0222**

BEING A 2.310 ACRES OF LAND, A PORTION OF THE AUGUST HEROLD SURVEY, #59 IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT 7.68 ACRE TRACT OF LAND CONVEYED IN A DEED FROM J.E. WIER AND WIFE, FRANCIS WIER, TO H.E. CALLIHAN AND WIFE, LILLIE MAE CALLIHAN, AS RECORDED IN VOLUME 2205, PAGE 278, TRAVIS COUNTY DEED RECORDS, AS SURVEYED FOR MRS. LILLIE MAE CALLIHAN BY FORREST B. SCOTT, REGISTERED PUBLIC SURVEYOR, AUSTIN, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/4 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 2.310 ACRE TRACT AND SAID 7.68 ACRE TRACT OF LAND AND IN THE NORTHWEST LINE OF WIER HILLS ROAD:

THENCE WITH A FENCE, SAME BEING THE NORTHEAST LINE OF THE SAID 2.310 ACRE TRACT AND SAID 7.68 ACRE TRACT, NORTH 50°45'26" WEST, 499.47 FEET TO A PIPE FOUND FOR THE NORTHWEST CORNER OF SAID 2.310 ACRE TRACT;

THENCE SOUTH 50°59'12" WEST, 179.95 FEET TO A 1/4 INCH IRON ROD WITH CAP STAMP MCANGUS SURVEY FOUND FOR CORNER;

THENCE WITH A FENCE, SOUTH 36°41'52" EAST, 151.01 FEET TO A COTTON PICKER SPINDLE FOUND FOR CORNER;

THENCE SOUTH 58°19'37" EAST, 424.36 FEET TO A PIPE FOUND FOR THE SOUTHEAST CORNER OF SAID 2.310 ACRE TRACT, IN THE SOUTHEAST LINE OF SAID 7.68 ACRE TRACT AND IN THE NORTHWEST LINE OF WIER HILLS ROAD, AS FOUND FENCED AND USED UPON THE GROUND;

THENCE WITH THE NORTHWEST LINE OF SAID WIER HILLS ROAD AND WITH THE SOUTHEAST LINE OF SAID 2.310 ACRE TRACT AND 7.68 ACRE TRACT, NORTH 28°03'13" EAST, 160.01 FEET TO THE PLACE OF BEGINNING AND CONTAINING 2.310 ACRES OF LAND, MORE OR LESS.

Enrique C. Elizondo

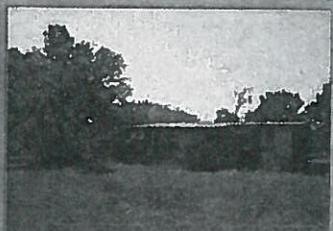


PREPARED BY:

EXACTA

TEXAS SURVEYORS, INC.

www.exacta365.com
P. 281.763.7766 - F. 281.763.7767
250 W. Oak Loop, Cedar Creek, TX 78612

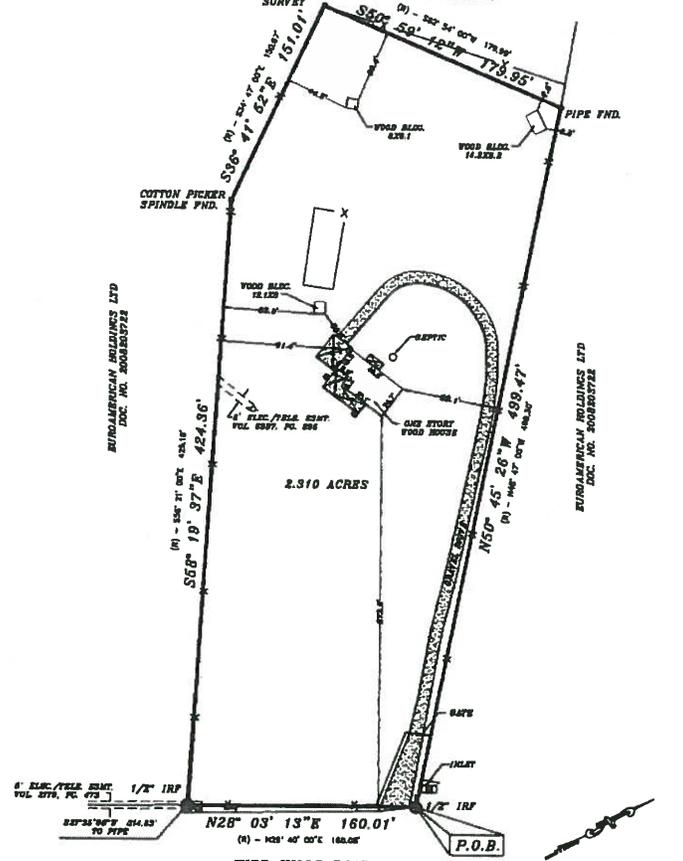


PROPERTY ADDRESS: 5610 WIER HILLS ROAD AUSTIN, TEXAS 78735

SURVEY NUMBER: 1405.0222

FIELD WORK DATE: 5/12/2014

REVISION DATE(S): (REV.2 10/20/2014) (REV.1 5/13/2014) (REV.0 5/13/2014)



- LEGEND**
- 1/2" IRON ROD FOUND
 - 1/2" IRON ROD SET
 - ⊙ CONTROL MONUMENTS
 - () RECORD BEARINGS
 - P.A.T.C.T. MAP / PLAT RECORD, TRAVIS COUNTY, TEXAS
 - A.A.P.C.T. DEED RECORDS, TRAVIS COUNTY, TEXAS
 - ⌋ POWER POLE
 - ⌋ CUT WIRE
 - ⊠ COVERED CONCRETE AREA
 - ⌋ WIRE FENCE
 - ⊙ HYDRA GRANITE MARBLE

WIER HILLS ROAD
(ASPHALT PAVEMENT)

Surveyor Notes:

- UNRECORDED UTILITY INSTALLATIONS, UNRECORDED IMPROVEMENTS, FENCELINES AND/OR OTHER CONSTRUCTION STRUCTURES WERE NOT LOCATED BY THIS SURVEY.
- THE PURPOSE OF THIS SURVEY IS FOR USE IN OBTAINING TITLE INSURANCE AND FINANCING AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
- THE SURVEYOR DID NOT ABSTRACT THE SUBJECT PROPERTY. THIS SURVEY IS BASED ON DOCUMENTATION PROVIDED BY THE CLIENT AND PLAT TITLE COMPANY. THIS PROPERTY IS SUBJECT TO RESPECTIVE COVENANTS AND/OR EASEMENTS NOTED IN VOL. 1298, P. 288, A.A.P.C.T.

I, **George C. Blomstedt**, a Registered Professional Land Surveyor do hereby certify that this plat represents an actual survey made on the ground under my supervision and substantially conforms with the minimum standards for land surveys in Texas as set forth by the Texas Board of Professional Land Surveying and that there are no encumbrances or visible monuments to the best of my knowledge and belief, except as shown herein. This 6th day of May, 2014.

George C. Blomstedt
Registered Professional Land Surveyor
Texas Registration No. 1288

Use of This Survey for Purposes other than Intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing herein shall be construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

FLOOD INFORMATION:
BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE CITY OF AUSTIN, COMMUNITY NUMBER 480624, DATED 09/26/08.

POINTS OF INTEREST
NONE VISIBLE

CLIENT NUMBER: 410893-BAL DATE: 5/13/2014

BUYER:

SELLER: HAROLD B WIER LIFE ESTATE

CERTIFIED TO: INDEPENDENCE TITLE, NATIONAL INVESTORS TITLE INSURANCE COMPANY

Your Exacta Contact

Laura Paredes Caffey Director of Sales
Laura@Exacta365.com www.exacta365.com

This is page 1 of 2 and is not valid without all pages.

EXACTA
TEXAS SURVEYOR

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Cedar Creek, TX 78612

LEGAL DESCRIPTION:
SEE EXHIBIT A

JOB SPECIFIC SURVEYOR NOTES:

GENERAL SURVEYOR NOTES:

1. UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND/OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED BY THIS SURVEY.
2. THE SURVEYOR DID NOT ABSTRACT THE SUBJECT PROPERTY. THIS SURVEY IS BASED ON DOCUMENTATION PROVIDED BY THE CLIENT AND/OR TITLE COMPANY.
3. THIS ENTIRE SURVEY WAS PERFORMED BY ELIZONDO & ASSOCIATES, LAND SURVEYING & MAPPING, LLC. TEXAS BUSINESS REGISTERED LICENSED SURVEYOR NUMBER 6386 LOCATED AT 5805 CALLAGHAN ROAD, SUITE 109, SAN ANTONIO, TEXAS 78228, WHOSE PHONE NUMBER IS (210)375-4128. OCCASIONALLY, EXACTA TEXAS SURVEYORS, INC. WILL HIRE LICENSED AND INSURED SURVEYORS TO PERFORM SURVEYS ON THEIR BEHALF. FOR THIS SURVEY, ELIZONDO & ASSOCIATES, LAND SURVEYING & MAPPING, LLC. PERFORMED THIS SURVEY COMPLETELY INDEPENDENT FROM EXACTA TEXAS SURVEYORS, INC. ELIZONDO & ASSOCIATES, LAND SURVEYING & MAPPING CARRIES ERRORS AND OMISSIONS INSURANCE AND ACCEPTS FULL RESPONSIBILITY FOR THE ENTIRE CONTENTS OF THIS SURVEY.

LEGEND:

LEGEND

LS  = LIGHT STANDARD
 = FIRE HYDRANT
 = POWER POLE
EM  = ELECTRIC METER
WM  = WATER METER
IRF = IRON ROD FOUND
IRS = IRON ROD SET
B.L. = BUILDING LINE
U.E. = UTILITY EASEMENT

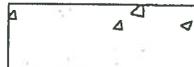
OVERHEAD UTILITY LINE

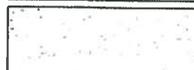
CHAIN LINK FENCE

WOOD FENCE

WIRE FENCE

/// = ASPHALT

 = GRAVEL

 = CONCRETE

ELECTRONIC SIGNATURE:

In order to "Electronically Sign" all of the PDFs sent by STARS, you must use a hash calculator. A free online hash calculator is available at <http://www.theformst.com/sgl/m35sum.htm>. To Electronically Sign any survey PDF: 1. Save the PDF onto your computer. 2. Use the online tool at <http://www.theformst.com/sgl/m35sum.htm> to browse for the saved PDF on your computer. 3. Select the Hash Method as SHA. 4. Click Submit. Your PDF is electronically signed if all of the characters in the SHA-1 code submitted by STARS matches the code which is produced by the hash calculator. If they match exactly, your PDF is electronically signed. If the codes do not match exactly, your PDF is not authentic.

PRINTING INSTRUCTIONS:

1. While viewing the survey in Adobe Reader, select the "Print" button under the "File" tab.
 2. Select a printer with legal sized paper.
 3. Under "Print Range", click select the "All" toggle
 4. Under the "Page Handling" section, select the number of copies that you would like to print.
 5. Under the "Page Scaling" selection drop down menu, select "None."
 6. Uncheck the "Auto Rotate and Center" checkbox.
 7. Check the "Choose Paper size by PDF" checkbox.
 8. Click OK to print.
- TO PRINT IN BLACK + WHITE:
1. In the main print screen, choose "Properties"
 2. Choose "Quality" from the options.
 3. Change from "Auto Color" or "Full Color" to "Gray Scale".

OFFER VALID ONLY FOR:

POWERED BY



www.surveystars.com

EXACTA

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